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116TH CONGRESS
1ST SESSION

H. R. 3224

[Report No. 116–281]

To amend title 38, United States Code, to provide for increased access to Department of Veterans Affairs medical care for women veterans.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 2019

Ms. BROWNLEY of California introduced the following bill; which was referred to the Committee on Veterans' Affairs

NOVEMBER 12, 2019

Additional sponsors: Mr. AGUILAR, Ms. WILD, Ms. ROYBAL-ALLARD, Ms. KUSTER of New Hampshire, Mr. GONZALEZ of Texas, Mrs. HAYES, Mr. CISNEROS, Mr. PAPPAS, Mr. ROSE of New York, Ms. MENG, Ms. GABBARD, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Ms. SPEIER, Mr. TAKANO, Ms. MOORE, Mr. CUELLAR, Mr. RUSH, Mr. RYAN, Ms. NORTON, Mr. SABLAN, Mr. RUIZ, Ms. CASTOR of Florida, Mrs. RADEWAGEN, Mr. VISCLOSKY, Mr. CORREA, Mrs. LEE of Nevada, Ms. SCANLON, Mr. PETERSON, Mr. DELGADO, Mr. LEVIN of California, Mr. CICILLINE, Mr. LAMB, Ms. HAALAND, Mr. BEYER, and Ms. HOULAHAN

NOVEMBER 12, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 12, 2019]

A BILL

To amend title 38, United States Code, to provide for increased access to Department of Veterans Affairs medical care for women veterans.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the*
 5 *“Deborah Sampson Act”.*

6 (b) *TABLE OF CONTENTS.*—*The table of contents for*
 7 *this Act is as follows:*

Sec. 1. Short title; table of contents.

TITLE I—VETERANS HEALTH ADMINISTRATION

Sec. 101. Office of Women’s Health in the Department of Veterans Affairs.

Sec. 102. Expansion of capabilities of women veterans call center to include text messaging.

Sec. 103. Requirement for Department of Veterans Affairs internet website to provide information on services available to women veterans.

Sec. 104. Report on Women Veterans Retrofit Initiative.

Sec. 105. Establishment of environment of care standards and inspections at Department of Veterans Affairs medical centers.

Sec. 106. Additional funding for primary care and emergency care clinicians in Women Veterans Health Care Mini-Residency Program.

Sec. 107. Establishment of women veteran training module for non-Department of Veterans Affairs health care providers.

TITLE II—MEDICAL CARE

Sec. 201. Improved access to Department of Veterans Affairs medical care for women veterans.

Sec. 202. Counseling and treatment for sexual trauma.

Sec. 203. Counseling in retreat settings for women veterans and other individuals.

Sec. 204. Improvement of health care services provided to newborn children by Department of Veterans Affairs.

TITLE III—REPORTS AND OTHER MATTERS

Subtitle A—Reports

Sec. 301. Assessment of effects of intimate partner violence on women veterans by Advisory Committee on Women Veterans.

Sec. 302. Study on staffing of Women Veteran Program Manager program at medical centers of the Department of Veterans Affairs and training of staff.

Sec. 303. Report on availability of prosthetic items for women veterans from the Department of Veterans Affairs.

Sec. 304. Study of barriers for women veterans to health care from the Department of Veterans Affairs.

Sec. 305. Report regarding veterans who receive benefits under laws administered by the Secretary of Veterans Affairs.

Sec. 321. Anti-harassment and anti-sexual assault policy of the Department of Veterans Affairs.

Sec. 322. Support for organizations that have a focus on providing assistance to women veterans and their families.

Sec. 323. Gap analysis of Department of Veterans Affairs programs that provide assistance to women veterans who are homeless.

Sec. 324. Department of Veterans Affairs public-private partnership on legal services for women veterans.

Sec. 325. Program to assist veterans who experience intimate partner violence or sexual assault.

Sec. 326. Study and task force on veterans experiencing intimate partner violence or sexual assault.

SEC. 101. OFFICE OF WOMEN'S HEALTH IN THE DEPARTMENT OF VETERANS AFFAIRS.

(a) *DIRECTOR OF WOMEN'S HEALTH.*—Subsection (a) of section 7306 of title 38, United States Code, is amended—

(1) by redesignating paragraph (10) as paragraph (11); and

(2) by inserting after paragraph (9) the following new paragraph:

“(10) *The Director of Women’s Health.*”.

(b) ORGANIZATION OF OFFICE.—

(1) *IN GENERAL.*—Subchapter I of chapter 73 of title 38, United States Code, is amended by adding at the end of the following new sections:

1 **“§ 7310. Office of Women’s Health**

2 “(a) *ESTABLISHMENT.*—(1) *The Under Secretary for*
3 *Health shall establish and operate in the Veterans Health*
4 *Administration the Office of Women’s Health (hereinafter*
5 *in this section referred to as the ‘Office’). The Office shall*
6 *be located at the Central Office of the Department of Vet-*
7 *erans Affairs.*

8 “(2) *The head of the Office is the Director of Women’s*
9 *Health (hereinafter in this section referred to as the ‘Direc-*
10 *tor’). The Director shall report to the Under Secretary for*
11 *Health.*

12 “(3) *The Under Secretary for Health shall provide the*
13 *Office with such staff and other support as may be nec-*
14 *essary for the Office to carry out effectively its functions*
15 *under this section.*

16 “(4) *The Under Secretary for Health may reorganize*
17 *existing offices within the Veterans Health Administration*
18 *as of the date of the enactment of this section in order to*
19 *avoid duplication with the functions of the Office.*

20 “(b) *PURPOSE.*—*The functions of the Office include the*
21 *following:*

22 “(1) *To provide a central office for monitoring*
23 *and encouraging the activities of the Veterans Health*
24 *Administration with respect to the provision, evalua-*
25 *tion, and improvement of women veterans’ health care*
26 *services in the Department.*

1 “(2) To develop and implement standards of care
2 for the provision of health care for women veterans in
3 the Department.

4 “(3) To monitor and identify deficiencies in
5 standards of care for the provision of health care for
6 women veterans in the Department, to provide tech-
7 nical assistance to medical facilities of the Depart-
8 ment to address and remedy deficiencies, and to per-
9 form oversight of implementation of standards of care
10 for women veterans’ health care in the Department.

11 “(4) To monitor and identify deficiencies in
12 standards of care for the provision of health care for
13 women veterans provided through the community
14 pursuant to this title, and to provide recommenda-
15 tions to the appropriate office to address and remedy
16 any deficiencies.

17 “(5) To oversee distribution of resources and in-
18 formation related to women veterans’ health program-
19 ming under this title.

20 “(6) To promote the expansion and improvement
21 of clinical, research, and educational activities of the
22 Veterans Health Administration with respect the
23 health care of women veterans.

24 “(7) To provide, as part of the annual budgeting
25 process, recommendations with respect to the amount

1 of funds to be requested for furnishing hospital care
2 and medical services to women veterans pursuant to
3 chapter 17 of this title, including, at a minimum,
4 recommendations that ensure that such amount of
5 funds either reflect or exceed the proportion of vet-
6 erans enrolled in the patient enrollment system under
7 section 1705 of this title who are women.

8 “(8) To provide recommendations to the Under
9 Secretary for Health with respect to modifying the
10 Veterans Equitable Resource Allocation system to en-
11 sure that resource allocations under such system re-
12 flect the health care needs of women veterans.

13 “(9) To carry out such other duties as the Under
14 Secretary for Health may require.

15 “(c) RECOMMENDATIONS.—If the Under Secretary for
16 Health determines not to implement any recommendation
17 made by the Director with respect to the allocation of re-
18 sources to address the health care needs of women veterans,
19 the Secretary shall notify the appropriate congressional
20 committees of such determination by not later than 30 days
21 after the date on which the Under Secretary for Health re-
22 ceives the recommendation. Each such notification shall in-
23 clude the following:

24 “(1) The reasoning of the Under Secretary for
25 Health in making such determination.

1 “(2) *An alternative, if one is selected, to such*
2 *recommendation that the Under Secretary for Health*
3 *will carry out to fulfill the health care needs of*
4 *women veterans.*

5 “(d) *STANDARDS OF CARE.—In this section, the stand-*
6 *ards of care for the provision of health care for women vet-*
7 *erans in the Department shall include, at a minimum, the*
8 *following:*

9 “(1) *Requirement for—*

10 “(A) *at least one designated women’s health*
11 *primary care provider at each medical center*
12 *whose duties include, to the extent practicable,*
13 *providing training to other health care providers*
14 *of the Department with respect to the needs of*
15 *women veterans; and*

16 “(B) *at least one designated women’s health*
17 *primary care provider at each community-based*
18 *outpatient clinic of the Department who may*
19 *serve female patients as a percentage of the total*
20 *duties of the provider.*

21 “(2) *Other requirements as determined by the*
22 *Under Secretary for Health.*

23 “(e) *OUTREACH.—The Director shall ensure that—*

24 “(1) *not less frequently than biannually, each*
25 *medical facility of the Department holds a public*

1 *forum for women veterans that occurs outside of reg-*
 2 *ular business hours; and*

3 *“(2) not less frequently than quarterly, each*
 4 *medical facility of the Department convenes a focus*
 5 *group of women veterans that includes a discussion of*
 6 *harassment occurring at such facility.*

7 “(f) *DEFINITIONS.—In this section:*

8 *“(1) The term ‘appropriate congressional com-*
 9 *mittees’ has the meaning given that term in section*
 10 *7310A of this title.*

11 *“(2) The term ‘facility of the Department’ has*
 12 *the meaning given the term in section 1701(3).*

13 *“(3) The term ‘Veterans Equitable Resource Allo-*
 14 *cation system’ means the resource allocation system*
 15 *established pursuant to section 429 of the Depart-*
 16 *ments of Veterans Affairs and Housing and Urban*
 17 *Development, and Independent Agencies Appropria-*
 18 *tions Act, 1997 (Public Law 104–204; 110 Stat.*
 19 *2929).*

20 **“§ 7310A. Annual reports on women’s health**

21 *“(a) ANNUAL REPORTS.—Not later than December 1*
 22 *of each year, the Director of Women’s Health shall submit*
 23 *to the appropriate congressional committees a report con-*
 24 *taining the matters under subsections (b) through (g).*

1 “(b) *OFFICE OF WOMEN’S HEALTH.*—*Each report*
2 *under subsection (a) shall include a description of—*

3 “(1) *actions taken by the Office of Women’s*
4 *Health in the preceding fiscal year to improve the De-*
5 *partment’s provision of health care to women vet-*
6 *erans;*

7 “(2) *any identified deficiencies related to the De-*
8 *partment’s provision of health care to women veterans*
9 *and the standards of care established in section 7310*
10 *of this title, and the Department’s plan to address*
11 *such deficiencies;*

12 “(3) *the funding and personnel provided to the*
13 *Office and whether additional funding or personnel*
14 *are needed to meet the requirements of such section;*
15 *and*

16 “(4) *other information that would be of interest*
17 *to the appropriate congressional committees with re-*
18 *spect to oversight of the Department’s provision of*
19 *health care to women veterans.*

20 “(c) *ACCESS TO GENDER-SPECIFIC SERVICES.*—*Each*
21 *report under subsection (a) shall include an analysis of the*
22 *access of women veterans to gender-specific services under*
23 *contracts, agreements, or other arrangements with non-De-*
24 *partment medical providers entered into by the Secretary*
25 *for the provision of hospital care or medical services to vet-*

1 *erans. Such analysis shall include data and performance*
2 *measures for the availability of gender specific services, in-*
3 *cluding—*

4 “(1) *the average wait time between the veteran’s*
5 *preferred appointment date and the date on which the*
6 *appointment is completed;*

7 “(2) *the average driving time required for vet-*
8 *erans to attend appointments; and*

9 “(3) *reasons why appointments could not be*
10 *scheduled with non-Department medical providers.*

11 “(d) *LOCATIONS WHERE WOMEN VETERANS ARE*
12 *USING HEALTH CARE.—Each report under subsection (a)*
13 *shall include an analysis of the use by women veterans of*
14 *health care from the Department, including the following*
15 *information:*

16 “(1) *The number of women veterans who reside*
17 *in each State.*

18 “(2) *The number of women veterans in each*
19 *State who are enrolled in the system of patient enroll-*
20 *ment of the Department established and operated*
21 *under section 1705(a) this title.*

22 “(3) *Of the women veterans who are so enrolled,*
23 *the number who have received health care under the*
24 *laws administered by the Secretary at least one time*

1 *during the one-year period preceding the submittal of*
2 *the report.*

3 “(4) *The number of women veterans who have*
4 *been seen at each medical facility of the Department*
5 *during such year.*

6 “(5) *The number of appointments that women*
7 *veterans have had at each such facility during such*
8 *year.*

9 “(6) *If known, an identification of the medical*
10 *facility of the Department in each Veterans Inte-*
11 *grated Service Network with the largest rate of in-*
12 *crease in patient population of women veterans as*
13 *measured by the increase in unique women veteran*
14 *patient use.*

15 “(7) *If known, an identification of the medical*
16 *facility of the Department in each Veterans Inte-*
17 *grated Service Network with the largest rate of de-*
18 *crease in patient population of women veterans as*
19 *measured by the decrease in unique women veterans*
20 *patient use.*

21 “(e) *MODELS OF CARE.—Each report under subsection*
22 *(a) shall include an analysis of the use by the Department*
23 *of general primary care clinics, separate but shared spaces,*
24 *and women’s health centers as models of providing health*

1 care to women veterans. Such analysis shall include the fol-
2 lowing:

3 “(1) The number of facilities of the Department
4 that fall into each such model, disaggregated by Vet-
5 erans Integrated Service Network and State.

6 “(2) A description of the criteria used by the De-
7 partment to determine which such model is most ap-
8 propriate for each facility of the Department.

9 “(3) An assessment of how the Department de-
10 cides to make investments to modify facilities to a dif-
11 ferent model.

12 “(4) A description of what, if any, plans the De-
13 partment has to modify facilities from general pri-
14 mary care clinics to another model.

15 “(5) An assessment of whether any facilities
16 could be modified to a separate but shared space for
17 a women’s health center within planned investments
18 under the strategic capital investment planning proc-
19 ess of the Department.

20 “(6) An assessment of whether any facilities
21 could be modified to a separate or shared space, or
22 women’s health center with minor modifications to
23 existing plans under the strategic capital investment
24 planning process of the Department.

1 “(7) *An assessment of whether the Department*
2 *has a goal for how many facilities should fall into*
3 *each such model.*

4 “(f) *STAFFING.—Each report under subsection (a)*
5 *shall include an analysis of the staffing of the Department*
6 *relating to the treatment of women, including the following,*
7 *disaggregated by Veterans Integrated Service Network and*
8 *State (except with respect to paragraph (4)):*

9 “(1) *The number of women’s health centers.*

10 “(2) *The number of patient aligned care teams*
11 *of the Department relating to women’s health.*

12 “(3) *The number of full- and part-time gynecologists of the Department.*

13 “(4) *The number of designated women’s health*
14 *care providers of the Department, disaggregated by*
15 *facility of the Department.*

16 “(5) *The number of health care providers of the*
17 *Department who have completed a mini-residency for*
18 *women’s health care through Women Veterans Health*
19 *Care Mini-Residency Program of the Department*
20 *during the one-year period preceding the submittal of*
21 *the report, and the number that plan to participate*
22 *in such a mini-residency during the one-year period*
23 *following such date.*
24

1 “(6) *The number of designated women’s health*
2 *care providers of the Department who have sufficient*
3 *female patients to retain their competencies and pro-*
4 *ficiencies.*

5 “(g) *ACCESSIBILITY AND TREATMENT OPTIONS.—*
6 *Each report under subsection (a) shall include an analysis*
7 *of the accessibility and treatment options for women vet-*
8 *erans, including the following:*

9 “(1) *An assessment of wheelchair accessibility of*
10 *women’s health centers of the Department, including,*
11 *with respect to each such facility, an assessment of*
12 *such accessibility for each kind of treatment provided*
13 *at the center, including with respect to radiology and*
14 *mammography, that addresses all relevant factors, in-*
15 *cluding door sizes, hoists, and equipment.*

16 “(2) *The options for women veterans to access fe-*
17 *male mental health providers and primary care pro-*
18 *viders.*

19 “(3) *The options for women veterans at medical*
20 *facilities of the Department with respect to clothing*
21 *sizes, including for gowns, drawstring pants, and pa-*
22 *jamas.*

23 “(h) *DEFINITIONS.—In this section:*

24 “(1) *The term ‘appropriate congressional com-*
25 *mittees’ means—*

1 “(A) the Committees on Veterans’ Affairs of
2 the House of Representatives and the Senate; and

3 “(B) the Committees on Appropriations of
4 the House of Representatives and the Senate.

5 “(2) The term ‘gender-specific services’ means
6 mammography, obstetric care, gynecological care, and
7 such other services as the Secretary determines appro-
8 priate.”.

9 (2) CLERICAL AMENDMENT.—The table of sec-
10 tions for such chapter is amended by inserting after
11 the item relating to section 7309A the following new
12 items:

“7310. Office of Women’s Health.

“7310A. Annual reports on women’s health.”.

13 (c) INITIAL REPORT.—The Secretary of Veterans Af-
14 fairs shall submit the initial report under section 7310A
15 of title 38, United States Code, as added by subsection (b),
16 by not later than 180 days after the date of the enactment
17 of this Act.

18 **SEC. 102. EXPANSION OF CAPABILITIES OF WOMEN VET-**
19 **ERANS CALL CENTER TO INCLUDE TEXT MES-**
20 **SAGING.**

21 The Secretary of Veterans Affairs shall expand the ca-
22 pabilities of the Women Veterans Call Center of the Depart-
23 ment of Veterans Affairs to include a text messaging capa-
24 bility.

1 **SEC. 103. REQUIREMENT FOR DEPARTMENT OF VETERANS**
2 **AFFAIRS INTERNET WEBSITE TO PROVIDE IN-**
3 **FORMATION ON SERVICES AVAILABLE TO**
4 **WOMEN VETERANS.**

5 (a) *IN GENERAL.*—*The Secretary of Veterans Affairs*
6 *shall survey the internet websites and information resources*
7 *of the Department of Veterans Affairs in effect on the day*
8 *before the date of the enactment of this Act and publish an*
9 *internet website that serves as a centralized source for the*
10 *provision to women veterans of information about the bene-*
11 *fits and services available to them under laws administered*
12 *by the Secretary.*

13 (b) *ELEMENTS.*—*The internet website published under*
14 *subsection (a) shall provide to women veterans information*
15 *regarding all of the services available in the district in*
16 *which the veteran is seeking such services, including, with*
17 *respect to each medical center and community-based out-*
18 *patient clinic in the applicable Veterans Integrated Service*
19 *Network—*

20 (1) *the name and contact information of each*
21 *women veterans program manager;*

22 (2) *a list of appropriate staff for other benefits*
23 *available from the Veterans Benefits Administration,*
24 *the National Cemetery Administration, and such*
25 *other entities as the Secretary considers appropriate;*
26 *and*

1 (3) *such other information as the Secretary con-*
2 *siders appropriate.*

3 (c) *UPDATED INFORMATION.*—*The Secretary shall en-*
4 *sure that the information described in subsection (b) that*
5 *is published on the internet website required by subsection*
6 *(a) is updated not less frequently than once every 90 days.*

7 (d) *OUTREACH.*—*In carrying out this section, the Sec-*
8 *retary shall ensure that the outreach conducted under sec-*
9 *tion 1720F(i) of title 38, United States Code, includes infor-*
10 *mation regarding the internet website required by sub-*
11 *section (a).*

12 (e) *DERIVATION OF FUNDS.*—*Amounts used by the*
13 *Secretary to carry out this section shall be derived from*
14 *amounts made available to the Secretary to publish internet*
15 *websites of the Department.*

16 **SEC. 104. REPORT ON WOMEN VETERANS RETROFIT INITIA-**
17 **TIVE.**

18 (a) *REPORT.*—*Not later than 180 days after the date*
19 *of the enactment of this Act, the Secretary of Veterans Af-*
20 *fairs shall submit to the Committees on Veterans' Affairs*
21 *and the Committees on Appropriations of the Senate and*
22 *the House of Representatives a report on requirements to*
23 *retrofit existing medical facilities of the Department of Vet-*
24 *erans Affairs with fixtures, materials, and other outfitting*

1 *measures to support the provision of care to women veterans*
 2 *at such facilities.*

3 (b) *ELEMENTS.*—*The report under subsection (a) shall*
 4 *include the following:*

5 (1) *An assessment of how the Secretary*
 6 *prioritizes retrofitting existing medical facilities to*
 7 *support provision of care to women veterans in com-*
 8 *parison to other requirements.*

9 (2) *A five-year plan for retrofitting medical fa-*
 10 *cilities of the Department to support the provision of*
 11 *care to women veterans.*

12 **SEC. 105. ESTABLISHMENT OF ENVIRONMENT OF CARE**
 13 **STANDARDS AND INSPECTIONS AT DEPART-**
 14 **MENT OF VETERANS AFFAIRS MEDICAL CEN-**
 15 **TERS.**

16 (a) *IN GENERAL.*—*The Secretary of Veterans Affairs*
 17 *shall establish a policy under which the environment of care*
 18 *standards and inspections at medical centers of the Depart-*
 19 *ment of Veterans Affairs include—*

20 (1) *an alignment of the requirements for such*
 21 *standards and inspections with the women’s health*
 22 *handbook of the Veterans Health Administration;*

23 (2) *a requirement for the frequency of such in-*
 24 *spections;*

1 (3) *delineation of the roles and responsibilities of*
 2 *staff at the medical center who are responsible for*
 3 *compliance;*

4 (4) *the requirement that each medical center sub-*
 5 *mit to the Secretary and make publicly available a*
 6 *report on the compliance of the medical center with*
 7 *the standards; and*

8 (5) *a remediation plan.*

9 (b) *REPORT.*—*Not later than 180 days after the date*
 10 *of the enactment of this Act, the Secretary shall submit to*
 11 *the Committees on Veterans' Affairs of the Senate and*
 12 *House of Representatives certification in writing that the*
 13 *policy required by subsection (a) has been finalized and dis-*
 14 *seminated to Department all medical centers.*

15 **SEC. 106. ADDITIONAL FUNDING FOR PRIMARY CARE AND**
 16 **EMERGENCY CARE CLINICIANS IN WOMEN**
 17 **VETERANS HEALTH CARE MINI-RESIDENCY**
 18 **PROGRAM.**

19 (a) *IN GENERAL.*—*There is authorized to be appro-*
 20 *priated to the Secretary of Veterans Affairs \$1,000,000 for*
 21 *each fiscal year for the Women Veterans Health Care Mini-*
 22 *Residency Program of the Department of Veterans Affairs*
 23 *to provide opportunities for participation in such program*
 24 *for primary care and emergency care clinicians.*

1 (b) *TREATMENT OF AMOUNTS.*—*The amounts author-*
 2 *ized to be appropriated under subsection (a) shall be in ad-*
 3 *dition to amounts otherwise made available to the Secretary*
 4 *for the purposes set forth in such subsection.*

5 **SEC. 107. ESTABLISHMENT OF WOMEN VETERAN TRAINING**
 6 **MODULE FOR NON-DEPARTMENT OF VET-**
 7 **ERANS AFFAIRS HEALTH CARE PROVIDERS.**

8 (a) *IN GENERAL.*—*Not later than one year after the*
 9 *date of the enactment of this Act, the Secretary of Veterans*
 10 *Affairs shall establish and make available to community*
 11 *providers a training module that is specific to women vet-*
 12 *erans.*

13 (b) *COMMUNITY PROVIDER DEFINED.*—*In this section,*
 14 *the term “community provider” means a non-Department*
 15 *of Veterans Affairs health care provider who provides health*
 16 *care to veterans under the laws administered by the Sec-*
 17 *retary of Veterans Affairs.*

18 **TITLE II—MEDICAL CARE**

19 **SEC. 201. IMPROVED ACCESS TO DEPARTMENT OF VET-**
 20 **ERANS AFFAIRS MEDICAL CARE FOR WOMEN**
 21 **VETERANS.**

22 (a) *IN GENERAL.*—*Subchapter II of chapter 17 of title*
 23 *38, United States Code, is amended by adding at the end*
 24 *the following new section:*

1 **“§ 1720J. Medical services for women veterans**

2 “(a) *ACCESS TO CARE.*—The Secretary shall ensure
3 that women’s health primary care services are available
4 during regular business hours at every medical center and
5 community based outpatient clinic of the Department.

6 “(b) *STUDY ON EXTENDED HOURS OF CARE.*—The
7 Secretary shall conduct a study to assess—

8 “(1) the use of extended hours as a means of re-
9 ducing barriers to care;

10 “(2) the need for extended hours based on inter-
11 views with women veterans and employees; and

12 “(3) the best practices and resources required to
13 implement use of extended hours.

14 “(c) *ANNUAL REPORT TO CONGRESS.*—Not later than
15 September 30 of each year, the Secretary shall submit to
16 the Committee on Veterans’ Affairs of the Senate and the
17 Committee on Veterans’ Affairs of the House of Representa-
18 tives a report on compliance with subsection (a).”.

19 (b) *CLERICAL AMENDMENT.*—The table of sections at
20 the beginning of such chapter is amended by inserting after
21 the item relating to section 1720I the following new item:

“1720J. Medical services for women veterans.”.

22 **SEC. 202. COUNSELING AND TREATMENT FOR SEXUAL**
23 **TRAUMA.**

24 Section 1720D of title 38, United States Code, is
25 amended—

1 (1) in subsection (a)—

2 (A) in paragraph (1), by striking “active
3 duty, active duty for training, or inactive duty
4 training” and inserting “duty, regardless of duty
5 status or line of duty determination (as that
6 term is used in section 12323 of title 10)”; and

7 (B) in paragraph (2)(A), by striking “ac-
8 tive duty, active duty for training, or inactive
9 duty training” and inserting “duty, regardless of
10 duty status or line of duty determination (as
11 that term is used in section 12323 of title 10)”; and

12 (2) by striking “veteran” each place it appears
13 and inserting “former member of the Armed Forces”;

14 (3) by striking “veterans” each place it appears
15 and inserting “former members of the Armed Forces”;
16 and

17 (4) by adding at the end the following new sub-
18 section:

19 “(g) In this section, the term ‘former member of the
20 Armed Forces’ includes the following:

21 “(1) A veteran described in section 101(2) of this
22 title.

23 “(2) An individual not described in paragraph
24 (1) who was discharged or released from the Armed

1 *Forces under a condition that is not honorable but*
 2 *not—*

3 “(A) a dishonorable discharge; or

4 “(B) a discharge by court-martial.”.

5 **SEC. 203. COUNSELING IN RETREAT SETTINGS FOR WOMEN**
 6 **VETERANS AND OTHER INDIVIDUALS.**

7 (a) *IN GENERAL.*—Chapter 17 of title 38, United
 8 States Code, is amended by inserting after section 1712C
 9 the following new section:

10 **“§1712D. Counseling in retreat settings for women**
 11 **veterans and other individuals**

12 “(a) *PROGRAM.*—(1) Commencing not later than Jan-
 13 uary 1, 2021, the Secretary shall carry out, through the
 14 Readjustment Counseling Service of the Veterans Health
 15 Administration, a program to provide reintegration and re-
 16 adjustment services described in subsection (b) in group re-
 17 treat settings to covered individuals, including cohorts of
 18 women veterans who are eligible for readjustment coun-
 19 seling services under section 1712A of this title.

20 “(2) The participation of a covered individual in the
 21 program under paragraph (1) shall be at the election of the
 22 individual.

23 “(b) *COVERED SERVICES.*—The services provided to a
 24 covered individual under the program under subsection
 25 (a)(1) shall include the following:

1 “(1) *Information on reintegration into the fam-*
2 *ily, employment, and community of the individual.*

3 “(2) *Financial counseling.*

4 “(3) *Occupational counseling.*

5 “(4) *Information and counseling on stress reduc-*
6 *tion.*

7 “(5) *Information and counseling on conflict reso-*
8 *lution.*

9 “(6) *Such other information and counseling as*
10 *the Secretary considers appropriate to assist the indi-*
11 *vidual in reintegration into the family, employment,*
12 *and community of the veteran.*

13 “(c) *BIENNIAL REPORTS.*—*Not later than December*
14 *31, 2022, and each even-numbered year thereafter, the Sec-*
15 *retary shall submit to the Committees on Veterans’ Affairs*
16 *of the House of Representatives and the Senate a report on*
17 *the program under subsection (a)(1).*

18 “(d) *COVERED INDIVIDUAL DEFINED.*—*In this section,*
19 *the term ‘covered individual’ means—*

20 “(1) *Any veteran who is enrolled in the system*
21 *of annual patient enrollment under section 1705 of*
22 *this title.*

23 “(2) *Any survivor or dependent of a veteran who*
24 *is eligible for medical care under section 1781 of this*
25 *title.”.*

1 (b) *CLERICAL AMENDMENT.*—*The table of sections at*
 2 *the beginning of such chapter is amended by inserting after*
 3 *the item relating to section 1712C the following new item:*

“1712D. Counseling in retreat settings for women veterans and other individuals.”.

4 **SEC. 204. IMPROVEMENT OF HEALTH CARE SERVICES PRO-**
 5 **VIDED TO NEWBORN CHILDREN BY DEPART-**
 6 **MENT OF VETERANS AFFAIRS.**

7 (a) *EXPANSION.*—*Section 1786 of title 38, United*
 8 *States Code, is amended—*

9 (1) *in subsection (a), in the matter preceding*
 10 *paragraph (1), by striking “seven days” and insert-*
 11 *ing “14 days”; and*

12 (2) *by adding at the end the following new sub-*
 13 *section:*

14 “(f) *ANNUAL REPORT.*—*Not later than 60 days after*
 15 *the end of each fiscal year, the Secretary shall submit to*
 16 *the Committee on Veterans’ Affairs of the Senate and the*
 17 *Committee on Veterans’ Affairs of the House of Representa-*
 18 *tives a report on the health care services provided under*
 19 *subsection (a) during such fiscal year, including the number*
 20 *of newborn children who received such services during such*
 21 *fiscal year.”.*

22 (b) *AUTHORITY TO FURNISH MEDICALLY NECESSARY*
 23 *TRANSPORTATION FOR NEWBORN CHILDREN OF CERTAIN*
 24 *WOMEN VETERANS.*—*Such section is further amended—*

1 (1) in subsection (a)—

2 (A) in the matter before paragraph (1)—

3 (i) by inserting “and transportation
4 necessary to receive such services” after “de-
5 scribed in subsection (b)”;

6 (ii) by inserting “, except as provided
7 in subsection (e),” after “14 days”;

8 (B) in paragraph (1), by striking “or”;

9 (C) in paragraph (2), by striking the period
10 at the end and inserting “; or”; and

11 (D) by adding at the end the following new
12 paragraph:

13 “(3) another location, including a health care fa-
14 cility, if the veteran delivers the child before arriving
15 at a facility described in paragraph (1) or (2).”;

16 (2) in subsection (b), by inserting before the pe-
17 riod at the end the following: “, including necessary
18 health care services provided by a facility other than
19 the facility where the newborn child was delivered
20 (including a specialty pediatric hospital) that accepts
21 transfer of the newborn child and responsibility for
22 treatment of the newborn child”; and

23 (3) by inserting before subsection (f), as added by
24 subsection (a), the following new subsections:

1 “(c) *TRANSPORTATION.*—(1) *Transportation furnished*
 2 *under subsection (a) to, from, or between care settings to*
 3 *meet the needs of a newborn child includes costs for either*
 4 *or both the newborn child and parents.*

5 “(2) *Transportation furnished under subsection (a) is*
 6 *transportation by ambulance, including air ambulance, or*
 7 *other appropriate medically staffed modes of transpor-*
 8 *tation—*

9 “(A) *to another health care facility (including a*
 10 *specialty pediatric hospital) that accepts transfer of*
 11 *the newborn child or otherwise provides post-delivery*
 12 *care services when the treating facility is not capable*
 13 *of furnishing the care or services required; or*

14 “(B) *to a health care facility in a medical emer-*
 15 *gency of such nature that a prudent layperson reason-*
 16 *ably expects that delay in seeking immediate medical*
 17 *attention would be hazardous to life or health.*

18 “(3) *Amounts paid by the Department for transpor-*
 19 *tation under this section shall be derived from the Medical*
 20 *Services appropriations account of the Department.*

21 “(d) *REIMBURSEMENT OR PAYMENT FOR HEALTH*
 22 *CARE SERVICES OR TRANSPORTATION.*—(1) *Pursuant to*
 23 *regulations the Secretary shall prescribe to establish rates*
 24 *of reimbursement and any limitations thereto under this*
 25 *section, the Secretary shall directly reimburse a covered en-*

1 *tity for health care services or transportation services pro-*
 2 *vided under this section, unless the cost of the services or*
 3 *transportation is covered by an established agreement or*
 4 *contract. If such an agreement or contract exists, its nego-*
 5 *tiated payment terms shall apply.*

6 “(2)(A) *Reimbursement or payment by the Secretary*
 7 *under this section on behalf of an individual to a covered*
 8 *entity shall, unless rejected and refunded by the covered en-*
 9 *tity within 30 days of receipt, extinguish any liability on*
 10 *the part of the individual for the health care services or*
 11 *transportation covered by such payment.*

12 “(B) *Neither the absence of a contract or agreement*
 13 *between the Secretary and a covered entity nor any provi-*
 14 *sion of a contract, agreement, or assignment to the contrary*
 15 *shall operate to modify, limit, or negate the requirements*
 16 *of subparagraph (A).*

17 “(3) *In this subsection, the term ‘covered entity’ means*
 18 *any individual, transportation carrier, organization, or*
 19 *other entity that furnished or paid for health care services*
 20 *or transportation under this section.*

21 “(e) *EXCEPTION.—Pursuant to such regulations as the*
 22 *Secretary shall prescribe to carry out this section, the Sec-*
 23 *retary may furnish more than 14 days of health care serv-*
 24 *ices described in subsection (b), and transportation nec-*
 25 *essary to receive such services, to a newborn child based on*

1 *medical necessity if the child is in need of additional care,*
 2 *including a case in which the newborn child has been dis-*
 3 *charged or released from a hospital and requires readmit-*
 4 *tance to ensure the health and welfare of the newborn*
 5 *child.”.*

6 (c) *TREATMENT OF CERTAIN EXPENSES ALREADY IN-*
 7 *CURRED.—Pursuant to such regulations as the Secretary*
 8 *of Veterans Affairs shall prescribe, the Secretary may pro-*
 9 *vide reimbursement under section 1786 of title 38, United*
 10 *States Code, as amended by subsection (a), health care serv-*
 11 *ices or transportation services furnished to a newborn child*
 12 *during the period beginning on May 5, 2010, and ending*
 13 *on the date of the enactment of this Act, if the Secretary*
 14 *determines that, under the circumstances applicable with*
 15 *respect to the newborn, such reimbursement appropriate.*

16 ***TITLE III—REPORTS AND OTHER*** 17 ***MATTERS***

18 ***Subtitle A—Reports***

19 ***SEC. 301. ASSESSMENT OF EFFECTS OF INTIMATE PARTNER*** 20 ***VIOLENCE ON WOMEN VETERANS BY ADVI-*** 21 ***SORY COMMITTEE ON WOMEN VETERANS.***

22 *Section 542(c)(1) of title 38, United States Code, is*
 23 *amended—*

24 (1) *in subparagraph (B), by striking “and” at*
 25 *the end;*

1 (2) *by redesignating subparagraph (C) as sub-*
 2 *paragraph (D); and*

3 (3) *by inserting after subparagraph (B) the fol-*
 4 *lowing new subparagraph (C):*

5 “(C) *an assessment of the effects of intimate*
 6 *partner violence on women veterans; and”.*

7 **SEC. 302. STUDY ON STAFFING OF WOMEN VETERAN PRO-**
 8 **GRAM MANAGER PROGRAM AT MEDICAL CEN-**
 9 **TERS OF THE DEPARTMENT OF VETERANS AF-**
 10 **FAIRS AND TRAINING OF STAFF.**

11 (a) *STUDY.*—*The Secretary of Veterans Affairs shall*
 12 *conduct a study on the use of the Women Veteran Program*
 13 *Manager program of the Department of Veterans Affairs to*
 14 *determine—*

15 (1) *if the program is appropriately staffed at*
 16 *each medical center of the Department;*

17 (2) *whether each medical center of the Depart-*
 18 *ment is staffed with a Women Veteran Program Man-*
 19 *ager; and*

20 (3) *whether it would be feasible and advisable to*
 21 *have a Women Veteran Program Ombudsman at each*
 22 *medical center of the Department.*

23 (b) *REPORT.*—*Not later than 270 days after the date*
 24 *of the enactment of this Act, the Secretary shall submit to*
 25 *the Committee on Veterans’ Affairs of the Senate and the*

1 *Committee on Veterans' Affairs of the House of Representa-*
 2 *tives a report on the study conducted under subsection (a).*

3 (c) *TRAINING.—The Secretary shall ensure that all*
 4 *Women Veteran Program Managers and Women Veteran*
 5 *Program Ombudsmen receive the proper training to carry*
 6 *out their duties.*

7 ***SEC. 303. REPORT ON AVAILABILITY OF PROSTHETIC ITEMS***
 8 ***FOR WOMEN VETERANS FROM THE DEPART-***
 9 ***MENT OF VETERANS AFFAIRS.***

10 *Not later than one year after the date of the enactment*
 11 *of this Act, the Secretary of Veterans Affairs shall submit*
 12 *to the Committee on Veterans' Affairs of the Senate and*
 13 *the Committee on Veterans' Affairs of the House of Rep-*
 14 *resentatives a report on the availability from the Depart-*
 15 *ment of Veterans Affairs of prosthetic items made for*
 16 *women veterans, including an assessment of the availability*
 17 *of such prosthetic items at each medical facility of the De-*
 18 *partment. The report shall—*

19 (1) *address efforts on research, development, and*
 20 *employment of additive manufacture technology (com-*
 21 *monly referred to as “3D printing”) to provide pros-*
 22 *thetic items for women veterans; and*

23 (2) *include a survey with a representative sam-*
 24 *ple of 50,000 veterans (of which women shall be*
 25 *overrrrepresented) in amputee care program on satis-*

1 *faction with prosthetics furnished or procured by the*
 2 *Department that replace appendages or their func-*
 3 *tion.*

4 **SEC. 304. STUDY OF BARRIERS FOR WOMEN VETERANS TO**
 5 **HEALTH CARE FROM THE DEPARTMENT OF**
 6 **VETERANS AFFAIRS.**

7 *(a) STUDY REQUIRED.—The Secretary of Veterans Af-*
 8 *fairs shall conduct a comprehensive study of the barriers*
 9 *to the provision of comprehensive health care by the Depart-*
 10 *ment of Veterans Affairs encountered by women who are*
 11 *veterans. In conducting the study, the Secretary shall—*

12 *(1) survey women veterans who seek or receive*
 13 *hospital care or medical services provided by the De-*
 14 *partment of Veterans Affairs as well as women vet-*
 15 *erans who do not seek or receive such care or services;*

16 *(2) administer the survey to a representative*
 17 *sample of women veterans from each Veterans Inte-*
 18 *grated Service Network; and*

19 *(3) ensure that the sample of women veterans*
 20 *surveyed is of sufficient size for the study results to*
 21 *be statistically significant and is a larger sample*
 22 *than that of the study referred to in subsection (b)(1).*

23 *(b) USE OF PREVIOUS STUDIES.—In conducting the*
 24 *study required by subsection (a), the Secretary shall build*

1 *on the work of the studies of the Department of Veterans*
2 *Affairs titled—*

3 (1) *“National Survey of Women Veterans in Fis-*
4 *cal Year 2007–2008”; and*

5 (2) *“Study of Barriers for Women Veterans to*
6 *VA Health Care 2015”.*

7 (c) *ELEMENTS OF STUDY.—In conducting the study*
8 *required by subsection (a), the Secretary shall conduct re-*
9 *search on the effects of the following on the women veterans*
10 *surveyed in the study:*

11 (1) *The barriers associated with seeking mental*
12 *health care services, including with respect to pro-*
13 *vider availability, telehealth access, and family, work,*
14 *and school obligations.*

15 (2) *The effect of driving distance or availability*
16 *of other forms of transportation to the nearest medical*
17 *facility on access to care.*

18 (3) *The effect of access to care in the community.*

19 (4) *The availability of child care.*

20 (5) *The acceptability of integrated primary care,*
21 *women’s health clinics, or both.*

22 (6) *The comprehension of eligibility requirements*
23 *for, and the scope of services available under, hospital*
24 *care and medical services.*

1 (7) *The perception of personal safety and com-*
2 *fort in inpatient, outpatient, and behavioral health*
3 *facilities.*

4 (8) *The gender sensitivity of health care pro-*
5 *viders and staff to issues that particularly affect*
6 *women.*

7 (9) *The effectiveness of outreach for health care*
8 *services available to women veterans.*

9 (10) *The location and operating hours of health*
10 *care facilities that provide services to women veterans.*

11 (11) *The perception of women veterans regarding*
12 *the motto of the Department of Veterans Affairs.*

13 (12) *Such other significant barriers as the Sec-*
14 *retary considers appropriate.*

15 (d) *DISCHARGE BY CONTRACT.*—*The Secretary shall*
16 *enter into a contract with a qualified independent entity*
17 *or organization to carry out the study and research re-*
18 *quired under this section.*

19 (e) *MANDATORY REVIEW OF DATA BY CERTAIN DE-*
20 *PARTMENT DIVISIONS.*—

21 (1) *IN GENERAL.*—*The Secretary shall ensure*
22 *that the head of each division of the Department of*
23 *Veterans Affairs specified in paragraph (2) reviews*
24 *the results of the study conducted under this section.*
25 *The head of each such division shall submit findings*

1 *with respect to the study to the Under Secretary for*
2 *responsibilities relating to health care services for*
3 *women veterans.*

4 (2) *SPECIFIED DIVISIONS.—The divisions of the*
5 *Department of Veterans Affairs specified in this para-*
6 *graph are the following:*

7 (A) *The Under Secretary for Health.*

8 (B) *The Office of Women’s Health.*

9 (C) *The Center for Women Veterans estab-*
10 *lished under section 318 of title 38, United*
11 *States Code.*

12 (D) *The Advisory Committee on Women*
13 *Veterans established under section 542 of such*
14 *title.*

15 (f) *REPORT.—Not later than 30 months after the date*
16 *of the enactment of this Act, the Secretary shall submit to*
17 *Congress a report on the study required under this section.*
18 *The report shall include recommendations for such adminis-*
19 *trative and legislative action as the Secretary considers ap-*
20 *propriate. The report shall also include the findings of the*
21 *head of each division of the Department specified under sub-*
22 *section (e)(2) and of the Under Secretary for Health.*

1 **SEC. 305. REPORT REGARDING VETERANS WHO RECEIVE**
2 **BENEFITS UNDER LAWS ADMINISTERED BY**
3 **THE SECRETARY OF VETERANS AFFAIRS.**

4 (a) *REPORT*.—Not later than 180 days after the date
5 of the enactment of this Act, the Secretary of Veterans Af-
6 fairs shall publish a report regarding veterans who receive
7 benefits under laws administered by the Secretary, includ-
8 ing the Transition Assistance Program under sections 1142
9 and 1144 of title 10, United States Code.

10 (b) *DATA*.—The data regarding veterans published in
11 the report under subsection (a)—

12 (1) shall be disaggregated by—

13 (A) sex;

14 (B) minority group member status; and

15 (C) minority group member status listed by
16 sex.

17 (2) may not include any personally identifiable
18 information.

19 (c) *MATTERS INCLUDED*.—The report under subsection
20 (a) shall include—

21 (1) identification of any disparities in the use of
22 benefits under laws administered by the Secretary;
23 and

24 (2) an analysis of the cause of such disparities
25 and recommendations to address such disparities.

1 (d) *MINORITY GROUP MEMBER DEFINED.*—*In this*
 2 *section, the term “minority group member” has the mean-*
 3 *ing given that term in section 544 of title 38, United States*
 4 *Code.*

5 **SEC. 306. STUDY ON WOMEN VETERAN COORDINATOR PRO-**
 6 **GRAM.**

7 *Not later than 180 days after the date of the enactment*
 8 *of this Act, the Secretary of Veterans Affairs shall submit*
 9 *to the Committees on Veterans’ Affairs of the House of Rep-*
 10 *resentatives and the Senate a report containing a study on*
 11 *the Women Veteran Coordinator program of the Veterans*
 12 *Benefits Administration of the Department of Veterans Af-*
 13 *fairs. Such study shall identify the following:*

14 (1) *If the program is appropriately staffed at*
 15 *each regional benefits office of the Department.*

16 (2) *Whether each regional benefits office of the*
 17 *Department is staffed with a Women Veteran Coordi-*
 18 *nator.*

19 (3) *The position description of the Women Vet-*
 20 *eran Coordinator.*

21 (4) *Whether an individual serving in the Women*
 22 *Veteran Coordinator position concurrently serves in*
 23 *any other position, and if so, the allocation of time*
 24 *the individual spends in each such position.*

(5) *A description of the metrics the Secretary uses to determine the success and performance of the Women Veteran Coordinator.*

Subtitle B—Other Matters

SEC. 321. ANTI-HARASSMENT AND ANTI-SEXUAL ASSAULT

POLICY OF THE DEPARTMENT OF VETERANS AFFAIRS.

(a) *IN GENERAL.*—Subchapter II of chapter 5 of title 38, United States Code, is amended by adding at the end the following new section:

“§ 533. Anti-harassment and anti-sexual assault policy

“(a) ESTABLISHMENT.—The Secretary of Veterans Affairs shall establish a comprehensive policy to end harassment and sexual assault, including sexual harassment and gender-based harassment, throughout the Department of Veterans Affairs. This policy shall include the following:

“(1) A process for employees and contractors of the Department to respond to reported incidents of harassment and sexual assault committed by any non-Department individual within a facility of the Department, including with respect to accountability or disciplinary measures.

“(2) A process for employees and contractors of the Department to respond to reported incidents of

1 *harassment and sexual assault of any non-Depart-*
2 *ment individual within a facility of the Department.*

3 “(3) *A process for any non-Department indi-*
4 *vidual to report harassment and sexual assault de-*
5 *scribed in paragraph (1), including an option for*
6 *confidential reporting, and for the Secretary to re-*
7 *spond to and address such reports.*

8 “(4) *Clear mechanisms for non-Department indi-*
9 *viduals to readily identify to whom and how to report*
10 *incidents of harassment and sexual assault committed*
11 *by another non-Department individual.*

12 “(5) *Clear mechanisms for employees and con-*
13 *tractors of the Department to readily identify to*
14 *whom and how to report incidents of harassment and*
15 *sexual assault and how to refer non-Department indi-*
16 *viduals with respect to reporting an incident of har-*
17 *assment or sexual assault.*

18 “(6) *A process for, and mandatory reporting re-*
19 *quirement applicable to, any employee or contractor*
20 *of the Department who witnesses harassment or sex-*
21 *ual assault described in paragraph (1) or (2) within*
22 *a facility of the Department, regardless of whether the*
23 *individual affected by such harassment or sexual as-*
24 *sault wants to report such harassment or sexual as-*
25 *sault.*

1 “(7) *The actions possible, including disciplinary*
2 *actions, for employees or contractors of the Depart-*
3 *ment who fail to report incidents of harassment and*
4 *sexual assault described in paragraph (1) or (2) that*
5 *the employees or contractors witness.*

6 “(8) *On an annual or more frequent basis, man-*
7 *datory training for employees and contractors of the*
8 *Department regarding how to report and address har-*
9 *assment and sexual assault described in paragraphs*
10 *(1) and (2), including bystander intervention train-*
11 *ing.*

12 “(9) *On an annual or more frequent basis, the*
13 *distribution of the policy under this subsection and*
14 *anti-harassment and anti-sexual assault educational*
15 *materials by mail or email to each individual receiv-*
16 *ing a benefit under a law administered by the Sec-*
17 *retary.*

18 “(10) *The prominent display of anti-harassment*
19 *and anti-sexual assault messages in each facility of*
20 *the Department, including how non-Department indi-*
21 *viduals may report harassment and sexual assault de-*
22 *scribed in paragraphs (1) and (2) at such facility*
23 *and the points of contact under subsection (b).*

24 “(11) *The posting on internet websites of the De-*
25 *partment, including the main internet website regard-*

1 *ing benefits of the Department and the main internet*
2 *website regarding health care of the Department, of*
3 *anti-harassment and anti-sexual assault banners spe-*
4 *cifically addressing harassment and sexual assault de-*
5 *scribed in paragraphs (1) and (2).*

6 “(b) *POINTS OF CONTACT.—The Secretary shall des-*
7 *ignate, as a point of contact to receive reports of harassment*
8 *and sexual assault described in paragraphs (1) and (2) of*
9 *subsection (a)—*

10 “(1) *at least one individual, in addition to law*
11 *enforcement, at each facility of the Department (in-*
12 *cluding Vet Centers under section 1712A of this title),*
13 *with regard to that facility;*

14 “(2) *at least one individual employed in each*
15 *Veterans Integrated Service Network, with regards to*
16 *facilities in that Veterans Integrated Service Network;*

17 “(3) *at least one individual employed in each re-*
18 *gional benefits office;*

19 “(4) *at least one individual employed at each lo-*
20 *cation of the National Cemetery Administration; and*

21 “(5) *at least one individual employed at the Cen-*
22 *tral Office of the Department to track reports of such*
23 *harassment and sexual assault across the Department,*
24 *disaggregated by facility.*

1 “(c) *ACCOUNTABILITY.*—*The Secretary shall establish*
 2 *a policy to ensure that each facility of the Department and*
 3 *each director of a Veterans Integrated Service Network is*
 4 *responsible for addressing harassment and sexual assault*
 5 *at the facility and the Network. Such policy shall include—*

6 “(1) *a remediation plan for facilities that experi-*
 7 *ence five or more incidents of sexual harassment, sex-*
 8 *ual assault, or combination thereof, during any single*
 9 *fiscal year; and*

10 “(2) *taking appropriate actions under chapter 7*
 11 *or subchapter V of chapter 74 of this title.*

12 “(d) *DATA.*—*The Secretary shall ensure that the in-*
 13 *take process for veterans at medical facilities of the Depart-*
 14 *ment includes a survey to collect the following information:*

15 “(1) *Whether the veteran feels safe at the facility*
 16 *and whether any events occurred at the facility that*
 17 *affect such feeling.*

18 “(2) *Whether the veteran wants to be contacted*
 19 *later by the Department with respect to such safety*
 20 *issues.*

21 “(e) *WORKING GROUP.*—(1) *The Secretary shall estab-*
 22 *lish a working group to assist the Secretary in imple-*
 23 *menting policies to carry out this section.*

24 “(2) *The working group established under paragraph*
 25 *(1) shall consist of representatives from—*

1 “(A) *veterans service organizations;*

2 “(B) *State, local, and Tribal veterans agencies;*

3 *and*

4 “(C) *other persons the Secretary determines ap-*
5 *propriate.*

6 “(3) *The working group established under paragraph*
7 *(1) shall develop, and the Secretary shall carry out—*

8 “(A) *an action plan for addressing changes at*
9 *the local level to reduce instances of harassment and*
10 *sexual assault;*

11 “(B) *standardized media for veterans service or-*
12 *ganizations and other persons to use in print and on*
13 *the internet with respect to reducing harassment and*
14 *sexual assault; and*

15 “(C) *bystander intervention training for vet-*
16 *erans.*

17 “(f) *REPORTS.—The Secretary shall submit to the*
18 *Committees on Veterans’ Affairs of the Senate and the*
19 *House of Representatives an annual report on harassment*
20 *and sexual assault described in paragraphs (1) and (2) of*
21 *subsection (a) in facilities of the Department. Each such*
22 *report shall include the following:*

23 “(1) *Results of harassment and sexual assault*
24 *programming, including the End Harassment pro-*
25 *gram.*

1 “(2) *Results of studies from the Women’s Health*
 2 *Practice-Based Research Network of the Department*
 3 *relating to harassment and sexual assault.*

4 “(3) *Data collected on incidents of sexual harass-*
 5 *ment and sexual assault.*

6 “(4) *A description of any actions taken by the*
 7 *Secretary during the year preceding the date of the*
 8 *report to stop harassment and sexual assault at facili-*
 9 *ties of the Department.*

10 “(5) *An assessment of the implementation of the*
 11 *training required in subsection (a)(7).*

12 “(6) *A list of resources the Secretary determines*
 13 *necessary to prevent harassment and sexual assault at*
 14 *facilities of the Department.*

15 “(g) *DEFINITIONS.—In this section:*

16 “(1) *The term ‘non-Department individual’*
 17 *means any individual present at a facility of the De-*
 18 *partment who is not an employee or contractor of the*
 19 *Department.*

20 “(2) *The term ‘sexual harassment’ has the mean-*
 21 *ing given that term in section 1720D of this title.”.*

22 “(b) *CLERICAL AMENDMENT.—The table of sections at*
 23 *the beginning of such chapter is amended by adding after*
 24 *the item relating to section 532 the following new item:*

 “533. *Anti-harassment and anti-sexual assault policy.*”.

1 (c) *DEFINITION OF SEXUAL HARASSMENT.*—Section
2 1720D(f) of such title is amended by striking “repeated,”.

3 (d) *DEADLINE.*—The Secretary shall commence car-
4 rying out section 533 of such title, as added by subsection
5 (a), not later than 180 days after the date of enactment
6 of this Act.

7 **SEC. 322. SUPPORT FOR ORGANIZATIONS THAT HAVE A**
8 **FOCUS ON PROVIDING ASSISTANCE TO**
9 **WOMEN VETERANS AND THEIR FAMILIES.**

10 Section 2044(e) of title 38, United States Code, is
11 amended by adding at the end the following new paragraph:

12 “(4) Not less than \$20,000,000 shall be available under
13 paragraph (1)(H) for the provision of financial assistance
14 under subsection (a) to organizations that have a focus on
15 providing assistance to women veterans and their fami-
16 lies.”.

17 **SEC. 323. GAP ANALYSIS OF DEPARTMENT OF VETERANS**
18 **AFFAIRS PROGRAMS THAT PROVIDE ASSIST-**
19 **ANCE TO WOMEN VETERANS WHO ARE HOME-**
20 **LESS.**

21 (a) *IN GENERAL.*—The Secretary of Veterans Affairs
22 shall complete an analysis of programs of the Department
23 of Veterans Affairs that provide assistance to women vet-
24 erans who are homeless or precariously housed to identify

1 *the areas in which such programs are failing to meet the*
 2 *needs of such women.*

3 (b) *REPORT.*—*Not later than 270 days after the date*
 4 *of the enactment of this Act, the Secretary shall submit to*
 5 *the Committee on Veterans' Affairs of the Senate and the*
 6 *Committee on Veterans' Affairs of the House of Representa-*
 7 *tives a report on the analysis completed under subsection*
 8 *(a).*

9 **SEC. 324. DEPARTMENT OF VETERANS AFFAIRS PUBLIC-PRI-**
 10 **VATE PARTNERSHIP ON LEGAL SERVICES**
 11 **FOR WOMEN VETERANS.**

12 (a) *PARTNERSHIP REQUIRED.*—*The Secretary of Vet-*
 13 *erans Affairs shall establish a partnership with at least one*
 14 *nongovernmental organization to provide legal services to*
 15 *women veterans.*

16 (b) *FOCUS.*—*The focus of the partnership established*
 17 *under subsection (a) shall be on the 10 highest unmet needs*
 18 *of women veterans as set forth in the most recently com-*
 19 *pleted Community Homelessness Assessment, Local Edu-*
 20 *cation and Networking Groups for Veterans (CHALENG*
 21 *for Veterans) survey.*

1 **SEC. 325. PROGRAM TO ASSIST VETERANS WHO EXPERI-**
2 **ENCE INTIMATE PARTNER VIOLENCE OR SEX-**
3 **UAL ASSAULT.**

4 (a) *PROGRAM REQUIRED.*—The Secretary of Veterans
5 Affairs shall carry out a program to assist former members
6 of the armed forces who have experienced or are experi-
7 encing intimate partner violence or sexual assault in access-
8 ing benefits from the Department of Veterans Affairs, in-
9 cluding coordinating access to medical treatment centers,
10 housing assistance, and other benefits from the Department.

11 (b) *COLLABORATION.*—The Secretary shall carry out
12 the program under subsection (a) in collaboration with—

13 (1) intimate partner violence shelters and pro-
14 grams;

15 (2) rape crisis centers;

16 (3) State intimate partner violence and sexual
17 assault coalitions; and

18 (4) such other health care or other service pro-
19 viders that serve intimate partner violence or sexual
20 assault victims as determined by the Secretary, par-
21 ticularly those providing emergency services or hous-
22 ing assistance.

23 (c) *AUTHORIZED ACTIVITIES.*—In carrying out the
24 program under subsection (a), the Secretary may conduct
25 the following activities:

1 (1) *Training for community-based intimate*
2 *partner violence or sexual assault service providers*
3 *on—*

4 (A) *identifying former members of the*
5 *Armed Forces who have been victims of intimate*
6 *partner violence or sexual assault;*

7 (B) *coordinating with local service pro-*
8 *viders of the Department; and*

9 (C) *connecting former members of the*
10 *Armed Forces with appropriate housing, mental*
11 *health, medical, and other financial assistance or*
12 *benefits from the Department.*

13 (2) *Assistance to service providers to ensure ac-*
14 *cess of veterans to intimate partner violence and sex-*
15 *ual assault emergency services, particularly in under-*
16 *served areas, including services for Native American*
17 *veterans (as defined in section 3765 of title 38,*
18 *United States Code).*

19 (3) *Such other outreach and assistance as the*
20 *Secretary determines necessary for the provision of*
21 *assistance under subsection (a).*

22 (d) *INTIMATE PARTNER VIOLENCE AND SEXUAL AS-*
23 *SAULT OUTREACH COORDINATORS.—*

24 (1) *IN GENERAL.—In order to effectively assist*
25 *veterans who have experienced intimate partner vio-*

1 *lence or sexual assault, the Secretary may establish*
2 *local coordinators to provide outreach under the pro-*
3 *gram required by subsection (a).*

4 (2) *LOCAL COORDINATOR KNOWLEDGE.—The*
5 *Secretary shall ensure that each coordinator estab-*
6 *lished under paragraph (1) is knowledgeable about—*

7 (A) *the dynamics of intimate partner vio-*
8 *lence and sexual assault, including safety con-*
9 *cerns, legal protections, and the need for the pro-*
10 *vision of confidential services;*

11 (B) *the eligibility of veterans for services*
12 *and benefits from the Department that are rel-*
13 *evant to recovery from intimate partner violence*
14 *and sexual assault, particularly emergency hous-*
15 *ing assistance, mental health care, other health*
16 *care, and disability benefits; and*

17 (C) *local community resources addressing*
18 *intimate partner violence and sexual assault.*

19 (3) *LOCAL COORDINATOR ASSISTANCE.—Each co-*
20 *ordinator established under paragraph (1) shall assist*
21 *intimate partner violence shelters and rape crisis cen-*
22 *ters in providing services to veterans.*

1 **SEC. 326. STUDY AND TASK FORCE ON VETERANS EXPERI-**
2 **ENCING INTIMATE PARTNER VIOLENCE OR**
3 **SEXUAL ASSAULT.**

4 (a) *NATIONAL BASELINE STUDY.*—

5 (1) *IN GENERAL.*—Not later than one year after
6 the date of the enactment of this Act, the Secretary of
7 Veterans Affairs, in consultation with the Attorney
8 General, shall conduct a national baseline study to
9 examine the scope of the problem of intimate partner
10 violence and sexual assault among veterans and
11 spouses and intimate partners of veterans.

12 (2) *MATTERS INCLUDED.*—The study under
13 paragraph (1) shall—

14 (A) include a literature review of all rel-
15 evant research on intimate partner violence and
16 sexual assault among veterans and spouses and
17 intimate partners of veterans;

18 (B) examine the prevalence of the experience
19 of intimate partner violence among—

20 (i) women veterans;

21 (ii) veterans who are minority group
22 members (as defined in section 544 of title
23 38, United States Code, and including other
24 minority populations as the Secretary de-
25 termines appropriate);

26 (iii) urban and rural veterans;

1 (iv) veterans who are enrolled in a
2 program under section 1720G of title 38,
3 United States Code;

4 (v) veterans who are in intimate rela-
5 tionships with other veterans; and

6 (vi) veterans who are described in more
7 than one clause of this subparagraph;

8 (C) examine the prevalence of the perpetra-
9 tion of intimate partner violence by veterans;
10 and

11 (D) include recommendations to address the
12 findings of the study.

13 (3) *REPORT.*—Not later than 30 days after the
14 date on which the Secretary completes the study
15 under paragraph (1), the Secretary shall submit to
16 the Committees on Veterans’ Affairs of the House of
17 Representatives and the Senate a report on such
18 study.

19 (b) *TASK FORCE.*—Not later than 90 days after the
20 date on which the Secretary completes the study under sub-
21 section (a), the Secretary, in consultation with the Attorney
22 General and the Secretary of Health and Human Services,
23 shall establish a national task force (in this section referred
24 to as the “Task Force”) to develop a comprehensive national
25 program, including by integrating facilities, services, and

1 *benefits of the Department of Veterans Affairs into existing*
2 *networks of community-based intimate partner violence and*
3 *sexual assault services, to address intimate partner violence*
4 *and sexual assault among veterans.*

5 *(c) CONSULTATION WITH STAKEHOLDERS.—In car-*
6 *rying out this section, the Task Force shall consult with—*

7 *(1) representatives from veteran service organiza-*
8 *tions and military service organizations;*

9 *(2) representatives from not fewer than three na-*
10 *tional organizations or State coalitions with dem-*
11 *onstrated expertise in intimate partner violence pre-*
12 *vention, response, or advocacy; and*

13 *(3) representatives from not fewer than three na-*
14 *tional organizations or State coalitions, particularly*
15 *those representing underserved and ethnic minority*
16 *communities, with demonstrated expertise in sexual*
17 *assault prevention, response, or advocacy.*

18 *(d) DUTIES.—The duties of the Task Force shall in-*
19 *clude the following:*

20 *(1) To review existing services and policies of the*
21 *Department and develop a comprehensive national*
22 *program to address intimate partner violence and*
23 *sexual assault prevention, response, and treatment.*

24 *(2) To review the feasibility and advisability of*
25 *establishing an expedited process to secure emergency,*

1 *temporary benefits, including housing or other bene-*
2 *fits, for veterans who are experiencing intimate part-*
3 *ner violence or sexual assault.*

4 *(3) To review and make recommendations re-*
5 *garding the feasibility and advisability of establishing*
6 *dedicated, temporary housing assistance for veterans*
7 *experiencing intimate partner violence or sexual as-*
8 *sault.*

9 *(4) To identify any requirements regarding inti-*
10 *mate partner violence assistance or sexual assault re-*
11 *sponse and services that are not being met by the De-*
12 *partment and make recommendations on how the De-*
13 *partment can meet such requirements.*

14 *(5) To review and make recommendations re-*
15 *garding the feasibility and advisability of providing*
16 *direct services or contracting for community-based*
17 *services for veterans in response to a sexual assault,*
18 *including through the use of sexual assault nurse ex-*
19 *aminers, particularly in underserved or remote areas,*
20 *including services for Native American veterans.*

21 *(6) To review the availability of counseling serv-*
22 *ices provided by the Department and through peer*
23 *network support, and to provide recommendations for*
24 *the enhancement of such services, to address—*

1 (A) the perpetration of intimate partner vi-
2 olence and sexual assault; and

3 (B) the recovery of veterans, particularly
4 women veterans, from intimate partner violence
5 and sexual assault.

6 (7) To review and make recommendations to ex-
7 pand services available for veterans at risk of perpe-
8 trating intimate partner violence.

9 (e) *REPORT.*—Not later than one year after the date
10 of the enactment of this Act, and not less frequently than
11 annually thereafter by October 1 of each year, the Task
12 Force shall submit to the Secretary of Veterans Affairs and
13 Congress a report on the activities of the Task Force, includ-
14 ing any recommendations for legislative or administrative
15 action.

16 (f) *DEFINITIONS.*—In this section:

17 (1) The term “Native American veteran” has the
18 meaning given that term in section 3765 of title 38,
19 United States Code.

20 (2) The term “State” has the meaning given that
21 term in section 101 of title 38, United States Code.

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116TH CONGRESS
1ST Session

H. R. 3224

[Report No. 116-281]

A BILL

To amend title 38, United States Code, to provide for increased access to Department of Veterans Affairs medical care for women veterans.

NOVEMBER 12, 2019

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed